

Serial No.: 10/517,305
Atty. Docket No.: P70298US0

IN THE DRAWINGS:

A new drawing figure entitled "Fig. 1" is being filed concurrently herewith. No new matter has been added. Entry thereof is requested.

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REMARKS

The Office Action mailed November 20, 2006, has been carefully reviewed and Applicant notes with appreciation the identification of allowable subject matter.

By this Amendment, Applicant has canceled claims 1-12 and added claims 13-24. Claims 13-24 are pending in the application. Claims 13 and 19 are independent.

The Examiner required the submission of a drawing to facilitate understanding of the invention. Accordingly, a new drawing sheet entitled "Fig. 1" is attached hereto setting forth an illustration of a representative embodiment of the present invention. No new matter has been added. The corresponding description of the figure is set forth in the original specification on page 4, which has been amended to refer to the new figure.

The Examiner objected to the specification as lacking sectional headings. Applicant has amended the specification herein to include headings as required.

The Examiner stated that the oath or declaration is defective as lacking the full name of the inventor. A substitute declaration is filed herewith in which the Applicant's full name is set forth. As contained in the declaration, the inventor has

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two given names. However, Mr. Herberthson has chosen to use his second given name, Magnus. Accordingly, the application was originally filed in his surname and chosen given name. Entry of the substitute declaration is requested.

The Examiner rejected claims 1-12 under 35 U.S.C. 112, second paragraph, as being indefinite but stated that claims 1-12 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph.

By this Amendment, claims 1-12 have been canceled and new claims 13-24 presented which are in conformity with 35 U.S.C. 112, second paragraph, and which substantively correspond with original claims 1-12. Favorable consideration and allowance of the new claims is therefore requested in accordance with the Examiner's indication of allowable subject matter.

With respect to the matters clarified in the new claims, Applicant notes that the transmitters and receivers may or may not be co-located, as the system and method will work either way. Particularly, each point in space used in a measuring facility may have one transmitter and one receiver, or may have just a transmitter or just a receiver. All that is needed is that four cooperating measuring facilities can detect the target.

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In a practical set-up, co-located transmitters and receivers may well be used, but they are not required. For as shown in the new figure and discussed in the specification, there is a redundancy as long as there are transmitters in at least half of the cooperating points and receivers in at least half of the cooperating points so that each distance is measured twice.

In regard to the use of directional information in conventional radar systems, usually antenna signals are sent in certain directions, i.e., in radar lobes. When an echo is received, the distance is obtained by the traveling time for the pulse and the direction is obtained from the lobe direction.

According to the present invention, directional information is not needed and a signal may be radiated using an omnidirectional antenna. However, as this feature is not considered essential to patentability or to an understanding of the invention to one skilled in the art, the phrase objected to by the Examiner has been deleted for clarity.

Similarly, the phrase relating to the use of conventional radar principles has been deleted as not necessary to patentability or to an understanding of the invention to one skilled in the art.

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The present invention is effective with both electromagnetic and acoustic signals and this has been clarified in claims 13 and 19.

Finally, the phrase "while considering a margin of error that has been determined in advance" has been deleted and replaced with "which correspond with each other within a predetermined margin of error", as would be understood by persons of ordinary skill in the art. Specifically, establishing some sort of acceptable margin of variation is done in virtually every technical field in which comparison is made between two values. Because absolute mathematical correspondence is rarely needed or empirically achieved, an error margin is determined ahead of time, within which two values, such as for a measured distance, will be considered to concern the same distance even though they may not be mathematically identical.

Deciding upon a suitable predetermined margin would be within the skill of an ordinary person in this field. Further, the size of such a margin is discussed in the specification on page 6, lines 26-29. Accordingly, the claims are presented as being in compliance with 35 U.S.C. 112, second paragraph.

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With this amendment and the foregoing remarks, it is respectfully submitted that the present application is in condition for allowance.

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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